

Appl. No. : **10/823,916**
Filed : **April 12, 2004**

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Figs. 1A, 3A, and 3B.

Replacement Sheet 1/12, which includes Fig. 1A, replaces the original sheet including Fig. 1A.

Replacement Sheet 6/12, which includes Fig. 3A, replaces the original sheet including Fig. 3A.

Replacement Sheet 7/12, which includes Figs. 3B and 3C, replaces the original sheet including Figs. 3B and 3C.

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REMARKS

Claims 1, 3-8, 18, 20-23, and 26-34 were pending prior to the amendments herein. Claims 1 and 7 are amended herein. Claims 24 and 25 have been canceled without prejudice. New Claims 35-37 have been added. Claims 1-23 and 26-37 are therefore pending.

Specification Amendments

Applicants have amended paragraphs [0042], [0046], and [0048] to rectify obvious typographical errors. Applicants submit that the amendments are fully supported by the application and that no new matter is added by these amendments. For example, see Figs. 1A-1C of the present application.

Drawing Amendments

Applicants have amended Figure 1A to add reference numeral 46. Applicants submit that the amendment is fully supported by the application and that no new matter is added by this amendment. For example, see ¶¶ [0039] & [0041] of the present application.

As suggested by the Examiner, Applicants have amended Figures 3A and 3B to clarify that the output hose 343 may have a smaller diameter than the input hose 16b. Applicants submit that these amendments are fully supported by the application and that no new matter is added by these amendments. For example, see ¶ [0077] of the present application.

Claim Amendments

Applicants have amended Claim 1 to clarify that the fluid control device comprises first and second liquid passages and that the second pressure may be substantially the same as the first pressure. Applicants submit that the amendment is fully supported by the application and that no new matter is added by this amendment. For example, see ¶¶ [0061] & [0062] and Figs. 2B & 3A of the present application. While the elected species is illustrated by Figs. 3A-3C, the fluid control device 330 can provide fluid flow in a range of pressures, for example as described with respect to other species. See ¶¶ [0068] & [0077] of the present application.

Applicants have amended Claim 7 to correct a grammatical error.

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Response to Rejections Under 35 U.S.C. § 102

Claims 1 and 3

Claims 1 and 3 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,857,583 to Attar. Applicants respectfully traverse the present rejection because Attar fails to teach or suggest, either expressly or inherently, all of the features of the rejected claims.

Claim 1

Applicants submit that Attar does not provide all of the features of amended Claim 1. Attar does not teach or suggest “a fluid control device comprising an inlet and an outlet, the fluid control device configured to receive liquid at a first pressure through the inlet and to provide liquid at a second pressure through the outlet, the first pressure being less than the second pressure when the liquid flows through a first liquid passage between the inlet and the outlet, the first pressure being the same as to the second pressure when the liquid flows through a second liquid passage between the inlet and the outlet,” as recited by amended Claim 1. Attar teaches a pressure washing system 10 having a pressurizing pump 30 or a plurality of different pumps 30. *See* Attar at col. 3, ll. 26-35 & col. 3, l. 62 – col. 4, l. 6. The pump 30 supplies a pressurized supply of water from the reservoir 20 to a high pressure hose 50. *See* Attar at col. 4, ll. 25-30. Thus, Attar does not teach or suggest that the pressure washing system 10 can produce a pressure at the outlet pressure supply line 41 that is the same as the pressure at the pump supply line 26.

Amended Claim 1 recites “a fluid control device comprising an inlet and an outlet, the fluid control device configured to receive liquid at a first pressure through the inlet and to provide liquid at a second pressure through the outlet, the first pressure being less than the second pressure when the liquid flows through a first liquid passage between the inlet and the outlet, the first pressure being the same as to the second pressure when the liquid flows through a second liquid passage between the inlet and the outlet.” Such a configuration advantageously provides an apparatus that can deliver liquid at a “‘regular’ liquid pressure (e.g., 40 to 60 psi)” or “at a high pressure (greater than regular liquid pressure).” *See* ¶¶ [0061] & [0062] of the present application. Therefore, Applicants submit that amended Claim 1 is not anticipated by Attar. Applicants respectfully request that the Examiner withdraw the rejection of Claim 1.

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Claim 3

As described above, Applicants submit that amended Claim 1 is not anticipated by Attar. Claim 3 depends from Claim 1. Thus, Claim 3 includes all the features of amended Claim 1 and recites a unique combination of additional features not taught or suggested by the cited references. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of Claim 3.

Claims 18 and 20-23

Claims 18 and 20-23 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,450,000 to Jockers. Applicants respectfully traverse the present rejection because Jockers fails to teach or suggest, either expressly or inherently, all of the features of the rejected claims.

Claim 18

Applicants submit that Jockers does not provide all of the features of Claim 18. Jockers does not teach or suggest “an outlet configured to be coupled to a hose,” as recited by Claim 18. Jockers teaches a valve casing having an outlet orifice *n*. Applicants respectfully disagree that the outlet orifice *n* is configured to be coupled to a hose. The resultant discharge from the outlet orifice *n* is in the form of a fine vaporous spray in which the atomization effected is thorough and complete. *See* Jockers at col. 2, ll. 78-82. Jockers does not teach or suggest that the outlet orifice *n* could be configured to be coupled to a hose. Moreover, a skilled artisan would not be motivated to couple a hose to the outlet orifice *n* because such a combination would be incompatible with producing a fine vaporous spray. Indeed, coupling the outlet orifice *n* to a hose would defeat the purpose of producing a fine vaporous spray.

Claim 18 recites “an outlet configured to be coupled to a hose.” Such a configuration allows the fluid control device to be coupled to a hose in fluid communication with a nozzle, spray gun, etc. *See* ¶¶ [0042] & [0044] of the present application. Therefore, Applicants submit that Claim 18 is not anticipated by Jockers. Applicants respectfully request that the Examiner withdraw the rejection of Claim 18.

Claims 20-23

As described above, Applicants submit that Claim 18 is not anticipated by Jockers. Claims 20-23 each depend from Claim 18. Thus, Claims 20-23 include all the features of Claim

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18 and recite unique combinations of additional features not taught or suggested by the cited references. Therefore, Applicants respectfully request that the Examiner withdraw the rejections of Claims 20-23.

Response to Rejections Under 35 U.S.C. § 103

Claims 4 and 5

Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Attar in view of U.S. Patent No. 5,529,460 to Eihusen et al. Applicants respectfully traverse the present rejection because Attar, either alone or in combination with Eihusen, fails to teach or suggest all of the features of the rejected claims.

As described above, amended Claim 1 is not anticipated by Attar. Claims 4 and 5 depend from Claim 1. Thus, Claims 4 and 5 include all of the features of Claim 1 and recite unique combinations of additional features not taught or suggested by the cited references. Eihusen does not make up for the deficiencies of Attar because Eihusen does not teach or suggest “a fluid control device comprising an inlet and an outlet, the fluid control device configured to receive liquid at a first pressure through the inlet and to provide liquid at a second pressure through the outlet, the first pressure being less than the second pressure when the liquid flows through a first liquid passage between the inlet and the outlet, the first pressure being the same as to the second pressure when the liquid flows through a second liquid passage between the inlet and the outlet,” as recited by amended Claim 1. Eihusen discloses a pressure washer with a flow control switch. The pressure washer emits pressurized liquid when the nozzle is open and no liquid when the nozzle is closed. *See* Eihusen at col. 2, ll. 11-32. Thus, Eihusen does not teach or suggest that the pressure washer can produce a pressure at the outlet that is the same as the pressure at the inlet. Therefore, Applicants respectfully request that the Examiner withdraw the rejections of Claims 4 and 5.

Claims 6 and 8

Claims 6 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,138,926 to Russo in view of Attar. Applicants respectfully traverse the present rejection because Russo, either alone or in combination with Attar, fails to teach or suggest all of the features of the rejected claims.

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As described above, amended Claim 1 is not anticipated by Attar. Claims 6 and 8 depend from Claim 1. Thus, Claims 6 and 8 include all of the features of Claim 1 and recite unique combinations of additional features not taught or suggested by the cited references. Russo does not make up for the deficiencies of Attar because Russo does not teach or suggest “a fluid control device comprising an inlet and an outlet, the fluid control device configured to receive liquid at a first pressure through the inlet and to provide liquid at a second pressure through the outlet, the first pressure being less than the second pressure when the liquid flows through a first liquid passage between the inlet and the outlet, the first pressure being the same as to the second pressure when the liquid flows through a second liquid passage between the inlet and the outlet,” as recited by amended Claim 1. Russo discloses a foam producer that emits a mixture of compressed air and deterative solution. *See* Russo at col. 3, ll. 1-6. Thus, Russo does not teach or suggest that the foam producer can produce a pressure at the outlet that is the same as the pressure at the inlet. Therefore, Applicants respectfully request that the Examiner withdraw the rejections of Claims 6 and 8.

Claim 7

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Attar. Applicants respectfully traverse the present rejection because Attar, either alone or in combination with other references of record, fails to teach or suggest all of the features of the rejected claims.

As described above, amended Claim 1 is not anticipated by Attar. Claim 7 depends from Claim 1. Thus, Claim 7 includes all of the features of Claim 1 and recites a unique combination of additional features not taught or suggested by the references of record. The references of record do not make up for the deficiencies of Attar because, as described above, the references of record do not teach or suggest “a fluid control device comprising an inlet and an outlet, the fluid control device configured to receive liquid at a first pressure through the inlet and to provide liquid at a second pressure through the outlet, the first pressure being less than the second pressure when the liquid flows through a first liquid passage between the inlet and the outlet, the first pressure being the same as to the second pressure when the liquid flows through a second liquid passage between the inlet and the outlet,” as recited by amended Claim 1. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of Claim 7.

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Claims 26-34

Claims 26-34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Attar in view of Eihusen. Applicants respectfully traverse the present rejection because Attar, either alone or in combination with Eihusen and other references of record, fails to teach or suggest all of the features of the rejected claims.

Claim 26

Applicants submit that the combination of Attar and Eihusen does not provide all of the features of Claim 26. Neither Attar nor Eihusen teaches or suggests “an output hose lumen with a second cross sectional area being smaller than the first cross sectional area” of “an inlet hose lumen,” as recited by Claim 26.

As stated by the Examiner, Attar does not teach or suggest that the input hose 26 has a diameter greater than the diameter of the output hose 41. Applicants respectfully disagree with the Examiner’s statement that it would have been obvious to one of ordinary skill in the art at the time of the Applicant’s invention to make the high pressure output hose of a smaller diameter than the low pressure input hose in order to increase its strength compared to the low pressure input hose and to increase fluid pressure. Eihusen does not make up for the deficiencies of Attar because Eihusen also does not teach or suggest “an output hose lumen with a second cross sectional area being smaller than the first cross sectional area” of “an inlet hose lumen,” as recited by Claim 26.

Because the Examiner has failed to make the necessary showing that the ordinary knowledge of those skilled in the art would have used the claimed relative cross sectional areas, the Examiner has not provided an adequate teaching, suggestion, or motivation to reject this claim based on the ordinary knowledge of those skilled in the art. Therefore, the Examiner appears to impermissibly use hindsight derived from the teachings of the present application, rather than the teachings of the references of record, to reject Claim 26.

Claim 26 recites “an output hose lumen with a second cross sectional area being smaller than the first cross sectional area” of “an inlet hose lumen.” Such a configuration allows embodiments in which the “fluid control device 330 can output liquid at a pressure greater than the pressure of the fluid within the liquid hose 16b so that the volume flow rate (i.e., volumetric flow rate) through the output hose 343 is similar to the volume flow rate that would be produced

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if only the conventionally sized, large diameter hose 16b was connected to the faucet 10 (i.e., without the device 330 and remaining downstream apparatus),” among other useful embodiments. See ¶ [0077] of the present application. Therefore, Applicants submit that Claim 26 is not unpatentable over Attar in view of Eihusen. Applicants respectfully request that the Examiner withdraw the rejection of Claim 26.

Claims 27-34

As described above, Claim 26 is not unpatentable over Attar in view of Eihusen. Claims 27-34 depend from Claim 26. Thus, Claims 27-34 include all of the features of Claim 26 and recite unique combinations of additional features not taught or suggested by the cited references. Therefore, Applicants respectfully request that the Examiner withdraw the rejections of Claims 27-34.

Withdrawn Claims

Claims 2, 9-17, and 19 were withdrawn from consideration. Applicants respectfully submit that amended Claim 1 and Claim 18, as well as Claim 26, are generic. Once a generic claim is allowable, all of the dependent claims drawn to species in addition to the elected species are ordinarily allowable since the additional species require all of the features of the generic claim. See M.P.E.P. § 806.04(d), ¶ 3. Claims 2 and 9-17 depend from, and include all of the features of, amended Claim 1, which is allowable as discussed above. Claim 19 depends from, and includes all of the features of, Claim 18, which is allowable as discussed above. Therefore, because Claims 2, 9-17, and 19 depend from allowable generic claims, Applicants respectfully request that the Examiner reinstate and pass withdrawn Claims 2, 9-17, and 19 to allowance.

New Claims

Claims 35-37 have been added and are fully supported by the application as originally filed. For example, see ¶¶ [0058] & [0061] of the present application. Applicants respectfully submit that Claims 35-37, which depend from, and include all of the features of, amended Claim 1, which is allowable as discussed above, are also allowable. Furthermore, the new dependent claims recite further distinguishing features of particular utility.

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Summary

Applicants respectfully submit that all of the pending claims are allowable. Applicants respectfully request that the Examiner withdraw the rejections and to pass Claims 1-23 and 26-37 to allowance.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.


Respectfully submitted,

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Dated: _____

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